

Election Matter
Urgent/Time Bound



राज्य निर्वाचन आयोग हिमाचल प्रदेश
STATE ELECTION COMMISSION HIMACHAL PRADESH

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No. SEC. (F)-2-6/ 2021-¹²²⁸ Dated the

28th March, 2023

To

The Returning Officer (Municipal Corporation)-cum-
Deputy Commissioner
District Shimla, Himachal Pradesh.

Subject :-

First Level Check (FLC) of EVMs, Directions thereof.

Sir,

As you are aware that general elections to Municipal Corporation will be held in near future. Therefore in order to conduct elections in free fair and independent manner, it is necessary to undertake the FLC of the EVMs. Accordingly, the State Election Commission Himachal Pradesh, in exercise of the powers vested in it under Article 243ZA of the Constitution of India, Section 9 of the Himachal Pradesh Municipal Corporation Act, 1994 read with rule 54 of the Himachal Pradesh Municipal Corporation Election Rules, 2012 hereby issues following guidelines for the First Level Check of EVMs :-

1. The FLC of EVMs will be done in accordance with the schedule issued by the State Election Commission.
2. The FLC is to be done in the presence of representatives of political parties. The schedule for FLC shall be communicated to every National and State level recognized political party for Himachal Pradesh in writing by the Returning Officer at least one week before the beginning of the FLC.
3. On the day of the FLC, representatives of all National and State level recognized political parties authorized by the District President or by any other person appointed by the State President of the political party to issue such authorisation shall be allowed to be present. They will be issued passes by the Returning Officers to enter the venue. A register shall be kept by the Returning Officer in Annexure -A in

which signatures of all political parties shall be taken every day as token of their presence.

4. FLC shall be carried out in a large hall which can accommodate EVMs to be checked. The hall should have sufficient area to accommodate officers nominated by the Returning Officer, engineers of BEL and also representatives of political parties.
5. While selecting the hall, it shall be kept in view that this hall shall be used as **Strong Room** after the FLC is over till the preparation of EVMs for actual poll. Proper security arrangements shall be made by deputing adequate police personnel to guard the EVMs and CCTV cameras shall be installed.
6. Before the hall is used for FLC, it shall be fully sanitized to ensure that the hall is free from any other electronic device or components of electronic devices. Every entry point to the hall shall be guarded by police force.
7. Every person who enters the hall shall be frisked at every entry. No other engineers, technicians or other technical staff except authorized engineers/technical staff of BEL shall be allowed to enter the FLC hall. Authorized persons will be allowed to enter the FLC hall only after proper identification using photo identity documents.
8. Nobody will be allowed to carry any electronic device inside the hall including cell phones, camera and spy pens etc. Similarly, nobody will be allowed to carry anything out of the FLC hall.
9. The FLC shall be carried out only by authorized engineers of BEL. The Company shall be fully responsible for the integrity, efficiency and competence of their engineers. List of engineers deputed by BEL for carrying out FLC alongwith their identity card numbers etc. shall be communicated in writing to you by BEL.
10. At the time of FLC, the following shall be done:-
 - a) Removal of address tags, Ballot Papers, cleaning of superscriptions on CU & BU, clearing of earlier poll data, dusting of CU & BU etc. These activities to be carried-out in the secured place/protected place provided by the Returning Officer.
 - b) Visual Inspection of CU/BU: Physical verification of Carrying Cases, Control Unit, Ballot Unit, Connecting Cable, Connector, Latches etc. to ensure no breakages.
 - c) Full functionality checks: Checking of all switches in Control Unit & Ballot Unit, doors (flaps), sealing provisions, scratches on acrylic screen etc. Response of all switches, confirmation tests for efficacy of Control Unit, Ballot Unit etc. -BEL engineers shall carry out test prescribed by the manufacturers to confirm that all components of the EVM are original and a certificate will be issued on Annexure-B to

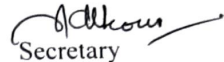
this effect that all the components of the EVMs are original. If any EVM is found to be defective, it will be kept aside and then taken to the factory of BEL for repairs. No repair of the machine shall be carried out in the field. Opening of the plastic cabinet cover of the machines is not permitted in the field. Changing of components of the machines in the field is strictly prohibited.

11. Conduct of Mock Poll: Casting of votes against all 16 candidate switches, observation of result & clearing of mock poll data will be done for each EVM. In 10% of EVMs at least 1000 votes shall be polled during the mock poll. In rest of the machines number of votes polled during the mock poll should be to the satisfaction of the representatives of political parties. Representatives of political parties shall be allowed to do the mock poll themselves. Signatures of representatives of political parties shall be taken in a register in Annexure –C as a token of having done mock poll and being satisfied with the functioning of the EVMs.
12. In order to ensure that the Control Unit of the EVM is not opened after First Level Checking of the EVMs, the Control Unit shall be sealed with the 'Pink Paper Seal' in the presence of the representatives of the Political Parties present at the time of FLC.
13. The Pink Paper Seal shall be affixed on the portion between the Candidate Set Section and the Result Section of the Control Unit. After fixing the Pink Paper Seal, the Engineer of the BEL shall put his signature on the Pink Paper Seal; the representatives of the Political Parties shall also be allowed to put their signature on the said seal with party name in abbreviation below the signature.
14. A register in Annexure – D shall be maintained to note down the serial number of the pink paper seal used on the Control Unit by clearly mentioning the unique ID number of Control Unit and the Pink Paper Seal number. Signatures of representatives of political parties will also be obtained on this register. Photocopy of this register will be given free of cost to all National and State level recognized political parties as soon as FLC is over.
15. Photocopy of this register will also be given to all contesting candidates as soon as last date of withdrawal of candidature is over. Photocopy of this register should also be available at the time of candidate setting and at the time of counting, and should be shown to candidates and their representative and acknowledgement taken on the register.
16. The Returning Officer shall nominate one officer not below the rank of Additional District Magistrate to supervise the entire process of FLC. This officer shall be

present in the FLC hall for the entire duration of FLC. The process of FLC shall be continuously videographed. Video CD will be kept in the custody of Returning Officer. CCTV cameras shall be put in the FLC hall in such a manner that the process of FLC can be seen on CCTV in the office of Returning Officer.

17. Copy of these instructions should be given to all National and State level political parties for HP at the time of FLC. It should also be given to the contesting candidates after the last date of withdrawal of candidatures in any elections.

Yours faithfully,



Secretary
State Election Commission
Himachal Pradesh

Annexure-A

(Register for First Level Checking of EVMs)

Name of District:

Address of FLC hall:

Date:

Sr. No.	Name of National/State Party	Name of representative of political party with party affiliation	Identity document No. with date	Signature of representative	Remarks, if any.

Note: If the representative of a party is absent the proof of due service of notice to the party should be pasted in the register.

(Name and signature of engineers of BEL/ECIL with ID No.)

(Name, designation, signature of officers nominated by District Election Officer)

Annexure-B
(Certification of EVMs by BEL)

Name of District:

Address of hall:

Date:

It is certified that tests prescribed by BEL to ascertain that all components are original were carried out on the EVMs listed below on..... (date). On the basis of these tests it is certified that all components of the EVMs listed below are original.

CU Identification No.	BU Identification No.

(Name & signature of BEL/ECIL engineers with ID No.)

Annexure-C

(Mock Poll certification during First Level Checking of EVMs)

Name of District:

Address of hall:

Date:.....

It is certified that I have done mock poll on EVMs and I am fully satisfied with the functioning of EVMs.

Sr. No.	CU Identification No.	BU Identification No.	Name of National/State Party	Name of representative of political party with party affiliation	Signature of representative	Remarks, if any

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Annexure-D

(Register for Sealing of Control Unit of EVMs using Pink Paper Seal)

Name of District:

Address of FLC hall:

Date:

It is certified that the sealing of the Control Units using Pink Paper Seals has been done in my presence. I have put my signature on the Pink Paper Seals after sealing of the Control Units and I am satisfied with the sealing of the Control Units.

Sl.No.	Unique ID No. of Control Unit	Pink Paper Seal Number	Name of National/State Party	Name of representative of political party with party affiliation	Identity document No. with date	Signature of representative

(Name, designation, signature of officers nominated by Returning Officer)